

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

BRIAN S. KING, )  
Plaintiff, )  
v. )  
MICHAEL J. ASTRUE, Commissioner of )  
Social Security, )  
Defendant. )  
CASE NO. 1:06-cv-0381-DFH-TAB

## ORDER

Defendant's Rule 59(e) motion is hereby denied. The court's original entry addressed the issues sufficiently and, in the court's view, correctly, given the combination of Mr. King's mental and physical impairments. The recent "nonprecedential disposition" cited by defendant, *Adkins v. Astrue*, No. 06-1476 (7th Cir. April 10, 2007), is distinguishable from this case for the reasons set forth in plaintiff's response. Plaintiff shall promptly supplement his pending petition for attorney fees and costs.

So ordered.

Date: May 10, 2007

David F. Hamilton

DAVID F. HAMILTON, JUDGE  
United States District Court  
Southern District of Indiana

Copies to:

Thomas E. Kieper  
UNITED STATES ATTORNEY'S OFFICE  
tom.kieper@usdoj.gov

Timothy J. Vrana  
tim@timvrana.com